

**Information to identify the case:**

Debtor 1 **Randy Scott Downey**

First Name Middle Name Last Name

Debtor 2

(Spouse, if filing) First Name Middle Name Last Name

Social Security number or ITIN **xxx-xx-1418**

EIN \_ \_ - \_ \_ \_ \_ \_

Social Security number or ITIN \_ \_ \_ \_

EIN \_ \_ - \_ \_ \_ \_ \_

United States Bankruptcy Court  
**WESTERN DISTRICT OF PENNSYLVANIA**

Date case filed in chapter **13 1/18/12**Case number: **12-70034-JAD**Date case converted to chapter **7 11/14/16****Official Form 309B (For Individuals or Joint Debtors)****Notice of Chapter 7 Bankruptcy Case -- Proof of Claim Deadline Set**

12/15

**For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Randy Scott Downey	
2. All other names used in the last 8 years	fdba Downey Trucking	
3. Address	404 Oak Street Indiana, PA 15701	
4. Debtor's attorney Name and address	Paul W. McElrath Jr. McElrath Legal Holdings, LLC. 1641 Saw Mill Run Boulevard Pittsburgh, PA 15210	Contact phone 412-765-3606
5. Bankruptcy trustee Name and address	Lisa M. Swope Neugebauer & Swope, P.C. 219 South Center Street P. O. Box 270 Ebensburg, PA 15931	Contact phone 814-472-7151
The United States Trustee, Region3, appoints this individual as interim trustee as of the date of the filing of the bankruptcy petition.		

For more information, see page 2 &gt;

Debtor **Randy Scott Downey**

Case number **12-70034-JAD**

<p><b>6. Bankruptcy clerk's office</b></p> <p>The Court uses an electronic filing system and filers must follow the Court's Local Rules governing the manner in which documents must be filed. Persons not represented by an attorney may file paper documents at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a>. <b>Photo ID/Delays:</b> For security reasons, you may encounter delays when attending court hearings. You should be prepared to show Photo Identification when attending these proceedings, Please plan accordingly.</p>	<p>U.S. Bankruptcy Court 5414 U.S. Steel Tower 600 Grant Street Pittsburgh, PA 15219</p>	<p>Hours open Monday – Friday 9:00 AM – 4:30 PM Contact phone 412-644-2700 Date: 11/14/16</p>
<p><b>7. Meeting of creditors</b></p> <p>Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.</p>	<p><b>December 21, 2016 at 09:00 AM</b></p> <p>The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.</p>	<p>Location:</p> <p><b>2nd Floor Conference Room, 110 Franklin Street, Johnstown, PA 15905</b></p>
<p><b>8. Presumption of abuse</b></p> <p>If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.</p>	<p>The presumption of abuse does not arise.</p>	
<p><b>9. Deadlines</b></p> <p>The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.</p>	<p><b>File by the deadline to object to discharge or to challenge whether certain debts are dischargeable:</b></p> <p><b>You must file a complaint:</b></p> <ul style="list-style-type: none"> <li>if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or</li> <li>if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4) or (6).</li> </ul> <p><b>You must file a motion:</b></p> <ul style="list-style-type: none"> <li>if you assert that the discharge should be denied under § 727(a)(8) or (9).</li> </ul> <hr/> <p><b>Deadline for all creditors to file a proof of claim (except governmental units):</b></p> <p><b>Deadline for governmental units to file a proof of claim:</b></p> <hr/> <p><b>Deadlines for filing proof of claim:</b></p> <p>A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed. Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p> <hr/> <p><b>Deadline to object to exemptions:</b></p> <p>The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.</p>	
<p><b>10. Creditors with a foreign address</b></p>	<p>If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.</p>	
<p><b>11. Liquidation of the debtor's property and payment of creditors' claims</b></p>	<p>The bankruptcy trustee listed on the front of this notice will collect and sell the debtor's property that is not exempt. If the trustee can collect enough money, creditors may be paid some or all of the debts owed to them in the order specified by the Bankruptcy Code. To ensure you receive any share of that money, you must file a proof of claim as described above.</p>	
<p><b>12. Exempt property</b></p>	<p>The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a>. If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object</p>	

to exemptions in line 9.

**Certificate of Notice Page 4 of 6**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Randy Scott Downey  
 Debtor

Case No. 12-70034-JAD  
 Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: culy  
 Form ID: 309B

Page 1 of 3  
 Total Noticed: 39

Date Rcvd: Nov 14, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2016.

db +Randy Scott Downey, 404 Oak Street, Indiana, PA 15701-1934  
 aty +Andrew F Gornall, KML Law Group, P.C., 701 Market Street, Suite 5000,  
 Philadelphia, PA 19106-1541  
 aty +Gregory Javardian, Law Office of Gregory Javardian, LLC, 1310 Industrial Boulevard,  
 1st Floor Suite 101, Southampton, PA 18966-4030  
 tr +Lisa M. Swope, Neugebauer & Swope, P.C., 219 South Center Street, P. O. Box 270,  
 Ebensburg, PA 15931-0270  
 13296660 +American Infomsource LP, PO Box 71083, Charlotte, NC 28272-1083  
 13296661 +Andrew F. Gornall, Esquire, KML Law Group, P.C., 701 Market Street, Suite 5000,  
 Philadelphia, PA 19106-1541  
 13354057 Bank of America, N.A., P.O.Box 660933, Dallas, TX 75266-0933  
 13277189 +CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239  
 (address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)  
 13277190 CitiFinancial, Inc., P.O. Box 140489, Irving, TX 75014-0489  
 13277191 +Deutsche Bank National Trust Company, et al, c/o Vitti and Vitti and Associates, P.C.,  
 916 Fifth Avenue, Pittsburgh, PA 15219-4764  
 13277197 Indiana County Tax Claim Bureau, Indiana County Courthouse, 825 Philadelphia Street,  
 Indiana, PA 15701-3934  
 13277198 +Integral Recoveries, 770 W Hampden Ave Ste 34, Englewood, CO 80110-2121  
 13277207 +W.G. Satterlee and Sons, 12475 Route 119 Hwy North, Rochester Mills, PA 15771-6505

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty E-mail/Text: ecf@mcclathlaw.com Nov 15 2016 02:53:12 Paul W. McClath, Jr.,  
 McElrath Legal Holdings, LLC., 1641 Saw Mill Run Boulevard, Pittsburgh, PA 15210  
 smg E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 15 2016 02:53:33 Pennsylvania Dept. of Revenue,  
 Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION,  
 Harrisburg, PA 17128-0946  
 ust +E-mail/Text: ustpreion03.pi.ecf@usdoj.gov Nov 15 2016 02:53:41  
 Office of the United States Trustee, Liberty Center., 1001 Liberty Avenue, Suite 970,  
 Pittsburgh, PA 15222-3721  
 cr +EDI: ATLASACQU.COM Nov 15 2016 02:38:00 Atlas Acquisitions LLC, 294 Union St.,  
 Hackensack, NJ 07601-4303  
 13277183 +EDI: ARSN.COM Nov 15 2016 02:38:00 Associated Recovery Systems,  
 A Division of ARS National Services, PO Box 469046, Escondido, CA 92046-9046  
 13277184 +EDI: ATLASACQU.COM Nov 15 2016 02:38:00 Atlas Acquisitions LLC, Attn: Avi Schild,  
 294 Union Street, Hackensack, NJ 07601-4303  
 13296664 +EDI: BANKAMER.COM Nov 15 2016 02:38:00 BAC Home Loans Servicing LP, 400 National Way,  
 Mail Stop: CA6-919-01-23, Simi Valley, CA 93065-6414  
 13277186 +EDI: BANKAMER2.COM Nov 15 2016 02:38:00 Bank Of America, Po Box 15311,  
 Wilmington, DE 19850-5311  
 13277185 +EDI: BANKAMER2.COM Nov 15 2016 02:38:00 Bank Of America, Po Box 1598,  
 Norfolk, VA 23501-1598  
 13277187 EDI: CAPITALONE.COM Nov 15 2016 02:38:00 Capital One, Po Box 85520, Richmond, VA 23285  
 13296671 +EDI: RESURGENT.COM Nov 15 2016 02:38:00 CR Evergreen, LLC, MS 550, PO Box 91121,  
 Seattle, WA 98111-9221  
 13319015 EDI: CAPITALONE.COM Nov 15 2016 02:38:00 Capital One Bank (USA), N.A., PO Box 71083,  
 Charlotte, NC 28272-1083  
 13277188 +EDI: CHASE.COM Nov 15 2016 02:38:00 Chase, Po Box 15298, Wilmington, DE 19850-5298  
 13277192 +EDI: DISCOVER.COM Nov 15 2016 02:38:00 Discover, PO Box 3025, New Albany, OH 43054-3025  
 13299780 EDI: DISCOVER.COM Nov 15 2016 02:38:00 Discover Bank, DB Servicing Corporation,  
 PO Box 3025, New Albany, OH 43054-3025  
 13277193 EDI: DISCOVER.COM Nov 15 2016 02:38:00 Discover Bank, Dfs Services LLC, P.O. Box 3025,  
 New Albany, OH 43054-3025  
 13277194 +EDI: RESURGENT.COM Nov 15 2016 02:38:00 East Bay Funding, c/o Resurgent Capital Services,  
 PO Box 288, Attn: Susan Gaines, Greenville, SC 29602-0288  
 13396033 +EDI: RESURGENT.COM Nov 15 2016 02:38:00 East Bay Funding, LLC its successors and assigns,  
 as assignee of B-Line, LLC, Resurgent Capital Services, PO Box 288,  
 Greenville, SC 29602-0288  
 13277201 EDI: IRS.COM Nov 15 2016 02:38:00 Internal Revenue Service, Insolvency Unit,  
 P.O. Box 628, Pittsburgh, PA 15230  
 13396038 EDI: RESURGENT.COM Nov 15 2016 02:38:00 LVNV Funding, LLC its successors and assigns as,  
 assignee of CitiFinancial, Inc., Resurgent Capital Services, PO Box 10587,  
 Greenville, SC 29603-0587  
 13277202 E-mail/Text: camanagement@mtb.com Nov 15 2016 02:53:25 M&T Bank, 1100 Wehrle Drive,  
 Williamsville, NY 14221  
 13277203 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Nov 15 2016 02:53:33  
 Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,  
 Harrisburg, PA 17128-0946  
 13277204 EDI: USBANKARS.COM Nov 15 2016 02:38:00 U S Bank, 101 5th St E Ste A,  
 Saint Paul, MN 55101  
 13277205 +EDI: URSI.COM Nov 15 2016 02:38:00 United Recovery System, P.O. Box 722929,  
 Houston, TX 77272-2929  
 13277195 EDI: ECAST.COM Nov 15 2016 02:38:00 eCAST Settlement Corp., Post Office Box 35480,  
 Newark, NJ 07193-5480

District/off: 0315-7

User: culy  
Form ID: 309B

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

13374533 EDI: ECAST.COM Nov 15 2016 02:38:00 eCAST Settlement Corporation, assignee,  
of Chase Bank USA, N.A., POB 29262, New York, NY 10087-9262  
TOTAL: 26

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Deutsche Bank National Trust Company, et al...  
13277182 Randy Scott Downey  
13296659 Randy Scott Downey  
13296662\* +Associated Recovery Systems, A Division of ARS National Services, PO Box 469046,  
Escondido, CA 92046-9046  
13296663\* +Atlas Acquisitions LLC, Attn: Avi Schild, 294 Union Street, Hackensack, NJ 07601-4303  
13296666\* +Bank Of America, Po Box 15311, Wilmington, DE 19850-5311  
13296665\* +Bank Of America, Po Box 1598, Norfolk, VA 23501-1598  
13296667\* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
(address filed with court: Capital One, Po Box 85520, Richmond, VA 23285)  
13296669\* ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239  
(address filed with court: Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202)  
+Chase, Po Box 15298, Wilmington, DE 19850-5298  
13296668\* CitiFinancial, Inc., P.O. Box 140489, Irving, TX 75014-0489  
13296670\* +Deutsche Bank National Trust Company, et al, c/o Vitti and Vitti and Associates, P.C.,  
13296672\* 916 Fifth Avenue, Pittsburgh, PA 15219-4764  
13296673\* +Discover, PO Box 3025, New Albany, OH 43054-3025  
13296674\* Discover Bank, Dfs Services LLC, P.O. Box 3025, New Albany, OH 43054-3025  
13296675\* +East Bay Funding, c/o Resurgent Capital Services, PO Box 288, Attn: Susan Gaines,  
Greenville, SC 29602-0288  
13296677\* +Frederick J. Hanna & Associates, P.C., 1427 Roswell Road, Marietta, GA 30062-3668  
13277199\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
PHILADELPHIA PA 19101-7346  
(address filed with court: Internal Revenue Service, P.O. Box 21125,  
Philadelphia, PA 19114)  
13296680\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
PHILADELPHIA PA 19101-7346  
(address filed with court: Internal Revenue Service, P.O. Box 21125,  
Philadelphia, PA 19114)  
13296678\* Indiana County Tax Claim Bureau, Indiana County Courthouse, 825 Philadelphia Street,  
Indiana, PA 15701-3934  
13296679\* +Integral Recoveries, 770 W Hampden Ave Ste 34, Englewood, CO 80110-2121  
13277200\* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,  
Room 806, Pittsburgh, PA 15222-4027  
13296681\* +Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue,  
Room 806, Pittsburgh, PA 15222-4027  
13296682\* Internal Revenue Service, Insolvency Unit, P.O. Box 628, Pittsburgh, PA 15230  
13296683\* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 1100 WHERLE DRIVE, WILLIAMSVILLE NY 14221-7748  
(address filed with court: M&T Bank, 1100 Wehrle Drive, Williamsville, NY 14221)  
13296684\* Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946,  
Harrisburg, PA 17128-0946  
13296685\* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: U S Bank, 101 5th St E Ste A, Saint Paul, MN 55101)  
13277206\* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: US Bank, 4125 Technology Way, Carson City, NV 89706)  
13296687\* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229  
(address filed with court: US Bank, 4125 Technology Way, Carson City, NV 89706)  
13296686\* +United Recovery System, P.O. Box 722929, Houston, TX 77272-2929  
13296688\* +W.G. Satterlee and Sons, 12475 Route 119 Hwy North, Rochester Mills, PA 15771-6505  
13296676\* eCAST Settlement Corp., Post Office Box 35480, Newark, NJ 07193-5480  
13374534\* eCAST Settlement Corporation, assignee, of Chase Bank USA, N.A., POB 29262,  
New York, NY 10087-9262  
13277196 ##+Frederick J. Hanna & Associates, P.C., 1427 Roswell Road, Marietta, GA 30062-3668  
TOTALS: 3, \* 29, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-7

User: culy  
Form ID: 309B

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Total Noticed: 39

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\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 16, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor Deutsche Bank National Trust Company, et al...  
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com  
Gregory Javardian on behalf of Creditor Deutsche Bank National Trust Company, et al...  
greg@javardianlaw.com, mary@javardianlaw.com;tami@javardianlaw.com  
Lisa M. Swope lms@nsslawfirm.com, klw@nsslawfirm.com;pa73@ecfcbis.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Paul W. McElrath, Jr. on behalf of Debtor Randy Scott Downey ecf@mcclrathlaw.com,  
donotemail.ecfbackuponly@gmail.com  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6